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5 **OK/HAV**
6 Attorney for Defendant
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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12
13 UNITED STATES OF AMERICA,) No. CR-S-05-0174 DFL
14 Plaintiff,)
15 v.) STIPULATION AND [PROPOSED ORDER]
16 FREDERICO PIZANO,) Date: June 2, 2005
17 Defendant.) Time: 10:00 A.M.
18) Judge: Hon. David F. Levi
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17 IT IS HEREBY STIPULATED by and between the parties hereto through
18 their respective counsel, RICK BENDER, Assistant United States
19 Attorney, attorney for Plaintiff, LINDA HARTER, Assistant Federal
20 Defender, attorney for defendant, that the current Status Conference
21 date of May 19, 2005 be vacated and a new Status Conference date of
22 June 2, 2005 at 10:00 a.m. be set.

23 Defense counsel has not received a written plea offer in this
24 case. The parties are engaged in negotiations to resolve this case.

25 It is further stipulated and agreed between the parties that the
26 period beginning May 19, 2005 to June 2, 2005, should be excluded in
27 computing the time within which the trial of the above criminal
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1 prosecution must commence for purposes of the Speedy Trial Act for
2 defense preparation. All parties stipulate and agree that this is an
3 appropriate exclusion of time within the meaning of Title 18, United
4 States Code, Section 3161(h)(8)(iv) (Local Code T4) and that the ends
5 of justice to be served by a continuance outweigh the best interests of
6 the public and the defendant in a speedy trial.

7 Dated: May 19, 2005

8 Respectfully submitted,

9 QUIN DENVER
10 Federal Defender

11 /S/LINDA HARTER
12 LINDA HARTER
13 Assistant Federal Defender
14 Attorney for Defendant
15 FREDERICO PIZANO

16 MCGREGOR W. SCOTT
17 United States Attorney

18 Dated: May 19, 2005

19 BY: /S/RICK BENDER
20 RICK BENDER
21 Assistant U.S. Attorney

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26 Stipulation and Order/Frederico Pizano/Cr-S-05-174

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ORDER

Based on the parties' stipulation and good cause appearing therefrom, the Court hereby adopts the stipulation of the parties in its entirety as its order. The Court specifically finds that the ends of justice served by the granting of such continuance outweigh the interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

DATED: 5/25/2005

/s/ David F. Levi
HONORABLE DAVID F. LEVI
U.S. District Judge

Stipulation and order/Frederico Pizano/Cr-S-05-174 DFL